

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SOREN RICHARD OLSEN, III,

Petitioner,

v.

JEFFREY PERKINS,

Respondent.

Case No. 25-638-KKE-MLP

MINUTE ORDER

The following Minute Order is made at the direction of the Court, the Hon. Michelle L. Peterson, United States Magistrate Judge:

This is a federal habeas action filed under 28 U.S.C. § 2254. This matter comes before the Court on Petitioner’s Motion to Amend (dkt. # 9). As this Court previously explained (dkt. # 8), Petitioner need not apply for permission to file a first amended petition, he may do so as a matter of right. Federal Rule of Civil Procedure 15(a) permits a civil litigant to “amend the party’s pleading once as a matter of course at any time before a responsive pleading is served,” and Rule 15 applies to habeas petitions “with the same force that it applies to all garden-variety civil cases.” *Calderon v. United States Dist. Ct.*, 134 F.3d 981, 986 n. 6 (9th Cir. 1998); *see also Keating v. Hood*, 191 F.3d 1053, 1067 (9th Cir. 1998) (applying Rule 15(a) to § 2254 habeas

1 petitions). As Respondent has yet to file a responsive pleading, *i.e.*, an answer, Petitioner may
2 file an amended pleading as a matter of right, and does not need the Court's permission to do so.
3 The Court also notes that shortly after seeking leave to amend (dkt. # 9), Petitioner properly filed
4 an Amended Petition (dkt. # 10). Accordingly, Petitioner's Motion to Amend (dkt. # 9) is
5 STRICKEN as moot.

6 The Clerk is directed to send copies of this order to the parties and to the honorable
7 Kymberly K. Evanson.

8 Dated this 22nd day of May, 2025.

9 Ravi Subramanian
10 Clerk of Court

11 By: Tim Farrell
12 Deputy Clerk